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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/223,595	12/30/1998	JEFFREY C. BELT	13237-2305-M	1356

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EXAMINER

ANYA, CHARLES E

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 11/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/223,595

Applicant(s)

BELT ET AL.

Examiner

Charles E Anya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 10, 19 – 20 recites the limitation "application program functionality" in lines 18 – 19 of page 3 and in lines 3 and 7 of page 14. There is insufficient antecedent basis for this limitation in the claim. The Examiner will take "application program functionality" to mean "application functionality".
3. Claims 18 and 20 recites the limitation "handler" in line 20 of page 13 and line 7 of page 14. There is insufficient antecedent basis for this limitation in the claim. The Examiner will take "handler" to mean "handler routine".

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1 – 6 and 7 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,995,756 to Herrmann.

As to claim 1, Herrmann teaches an Application Functionality (Col. 3, Ln. 31 – 67, Col. 9, Ln. 33 – 55), a Set of Files (MIME Types Col. 3, Ln. 31 – 67, Col. 8, Ln. 11 –

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67, Col. 9, Ln. 33 – 67), a Handler Routine and sending each file to the handler routine (Col. 9 Ln. 43 – 45) and determining the application functionality (Col. 9, Ln. 43 – 55).

Although Herrmann is silent with respect running the set of files when the computer is disconnected, it would have been obvious to one of ordinary skill to improve the implementation of the system to include running the set of file when disconnected, since client side 510 can execute/run the MIME Type files using the downloaded application offline or independent of web server 531.

As to claim 2, Herrmann teaches the application functionality to comprise of products, features and components (Microsoft Word Col. 8, Ln. 11 – 18).

As to claim 3, Herrmann teaches identifying the set of files and storing the set of on the computer (Col. 9, Ln. 56 – 67).

As to claim 4, claims 1 and 2 meets claim 4 except for determining the set of files to be stored locally on the computer and installing the identified application functionality locally on the computer.

Herrmann teaches determining the set of files to be stored locally on the computer (Col. 8, Ln. 43 – 54) and installing the identified application functionality locally on the computer (Col. 9, Ln. 56 – 65).

As to claim 5, Herrmann teaches using input that corresponds to a plurality of files that are to be stored on a local computer (Col. 11, Ln. 10 – 17).

As to claim 6, Herrmann does not explicitly teach a plurality of files in a plurality of storage locations.

Herrmann teaches multiple application pages/files can be located using hyperlinks (Col. 9, Ln. 32 – 42). These hyperlinks includes several storage locations. Secondly a determination is first made as to whether the files are located locally then looking at a remote location as result looking for the files in a plurality of locations (local and remote) (Col. 12, Ln. 42 – 54) and determining whether each file is to be stored locally and adding the file if true (Col. 8, Ln. 25 – 54).

As to claim 8, Herrmann teaches handler routine to include instructions for scanning the associated file and determining the application functionality that is needed to execute the associated file (Col. 9, Ln. 43 – 45).

As to claim 9, see the rejection of claim 2.

As claim 10, Herrmann teaches a Computer (Client Side 510 Col. 10, Ln. 29 – 54), a Network (Internet Connection 520 Col. 10, Ln. 29 - 54), a Set of application Functionality (Application Object Repository 543 Col. 10, Ln. 29 – 54), creating a list of file stored locally on the computer (Col. 8, Ln. 25 – 42: NOTE: Although document identification engine (DIE) is not explicitly taught, the creation of the file must have to be implemented by some type routine/engine. Therefore any routine/engine that creates the file is the DIE. Also, Herrmann teaches the creation of a single file, however the creation of a plurality of files would be obvious to one of ordinary skill in the art to implement since this file could be a cabinet file (Col. 9, Ln. 56 – 65), sending the list of files from the DIE to a document mapping engine (DME), causing the DME to identify a proper handler routine for each file, sending each file from the DME to the proper handler routine, causing the handler routine to identify the application functionality,

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sending a list of needed application functionality of the handler routine to the DME, sending a list of needed application functionality from the DME to a migration engine (ME), causing the ME to determine the current status of the needed application functionality and installing the application functionality from a remote location if it not installed locally (Col. 8, Ln. 25 – 42, Col. 9, Ln. 32 – 55: NOTE: The DME, ME and their steps, though not explicit are inherent because the purpose of the DME and ME is find and download the appropriate application functionality and the phrase "...also includes information necessary to find and download the program code..." does just that. It finds and downloads the appropriate application functionality by using the technique for associating a host application with a document through the use of MIME types (Col. 8, Ln. 25 – 42)).

As to claim 11, Herrmann teaches a Computer-Readable Medium (Main Memory 102, Mass Storage 107).

As to claim 12, Herrmann teaches the step of finding each file to be stored locally, in the plurality of storage locations based on a set of rules (the rules of URL and hyperlinks Col. 9, Ln. 33 – 42).

As to claim 13, Herrmann teaches the step of finding each file to be stored locally, in the plurality of storage locations based on a user's usage patterns (Col. 12, Ln. 42 – 55).

As to claim 14, Herrmann does not explicitly teach the step of identifying application functionality to comprise determining whether each file needs multiple application functionality. However, Herrmann teaches the files to include

multiple/cabinet files. These cabinet files are associated with a plurality of application functionality (Col. 9, Ln. 56 – 65).

As to claim 15, Herrmann teaches mapping application functionality to a file embedded in a file (hyperlinks Col. 9, Ln. 32 – 42).

As to claim 16, Herrmann does not specifically teach the embedded file as an Object Linking and Embedding (OLE) object. However, Herrmann employs OLE in the use of Globally Unique Identifier (GUID) to identify a particular application. And since the files must use GUID to associate with any application it would be safe to say that the embedded file would implement OLE (Col. 8, Ln. 11 – 24).

As to claim 17, Herrmann teaches the embedded file as a hyperlink (Col. 9, Ln. 32 – 42).

As to claim 18, Herrmann does not explicitly teach the step of causing the handler to notify the DME of an embedded file, and in response to the notification of the embedded file the DME transmits the embedded file to another handler.

Herrmann teaches a handler routine, an embedded file (Col. 9, Ln. 32 – 54) and DME as explained in claim 10. The transmission of the embedded file to another handler would be inherent because each file is associated with a handler, an embedded file implies more than one file therefore each of the files would be associated with a different handler.

As to claim 19, Herrmann does not explicitly teach the step of sorting the application functionality according to a frequency of occurrence.

Herrmann teaches that the application functionality could be stored locally or remotely (Col. 9, Ln. 32 – 54). One of the reasons of storing applications locally is for easy access to applications that are frequently used, thus storing locally those applications that occur frequently is sorting the applications according to frequency of occurrence.

As to claim 20, Herrmann does not explicitly teach the step of causing the handler to return importance ranking associated with the application functionality. However, by first looking locally for the application and then remotely (Col. 9, Ln. 32 – 54) the handler has prioritized the sequence of finding the appropriate application and in so doing would return the applications according to their importance.

Response to Arguments

6. Applicant's arguments with respect to claims 1 – 6 and 8 – 20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M – F (First Friday Off) from 8:30 am to 5:30 pm.

The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Charles E Anya
Examiner
Art Unit 2126



ALVIN OBERLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes **incorporated** therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.